



# SENTENCING IN WISCONSIN

## Snapshots of Information on Wisconsin Sentencing

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### Mean Age of Offenders in Wisconsin, by Major Offense Type: February 2003-June 2004

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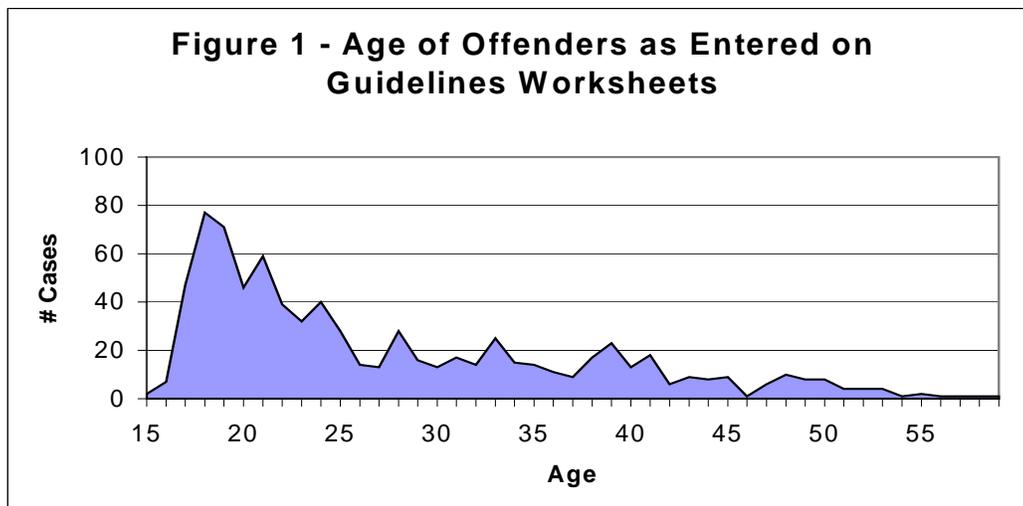
*Editor's Note: The analysis that follows is an excerpt from a complete technical report, which is posted on the Commission's web site. Based on this report and feedback from judges and others around the state, the Commission is working on revising the guidelines worksheets. The twin objectives of those revisions are to streamline the form, and to yield more complete information that in turn will fuel stronger analysis of sentencing patterns by Commission staff.*

The Wisconsin Sentencing Commission collects and records state data from worksheets submitted for the eleven most frequently-committed felony offenses as of 1999. The data system was instituted for these offenses occurring on or after February 1, 2003. Among the data collected are demographic characteristics of the offenders. This

allows the Commission to report information such as the mean age of offenders committing each of the eleven offenses.

Commission staff calculated the age of offenders by subtracting the birth date listed on the demographic section of the sentencing guidelines worksheet from the sentencing date. Both dates were recorded on 95% of the 835 worksheets submitted to the Commission as of June 1, 2004<sup>1</sup>.

Figure 1 outlines the distribution of ages for the offenders whose age could be calculated. **The age range of the distribution is 15 to 68 years old, with a mean age of 27.53 years for all offenses. Eighteen-year-olds constitute the largest group, with 77 offenders,**



The Wisconsin Sentencing Commission periodically publishes "Sentencing in Wisconsin to provide the public, state courts, and policymakers data on state sentencing practices. For other publications, or more information about the Commission, see its website, [wsc.wi.gov](http://wsc.wi.gov).

followed by 19-year-olds with 71. The frequency by which individual ages are present on the sheets gradually declines thereafter. When ages are sorted by decade, the largest age group is 20-29, which makes up 40% of the offenders in the distribution.

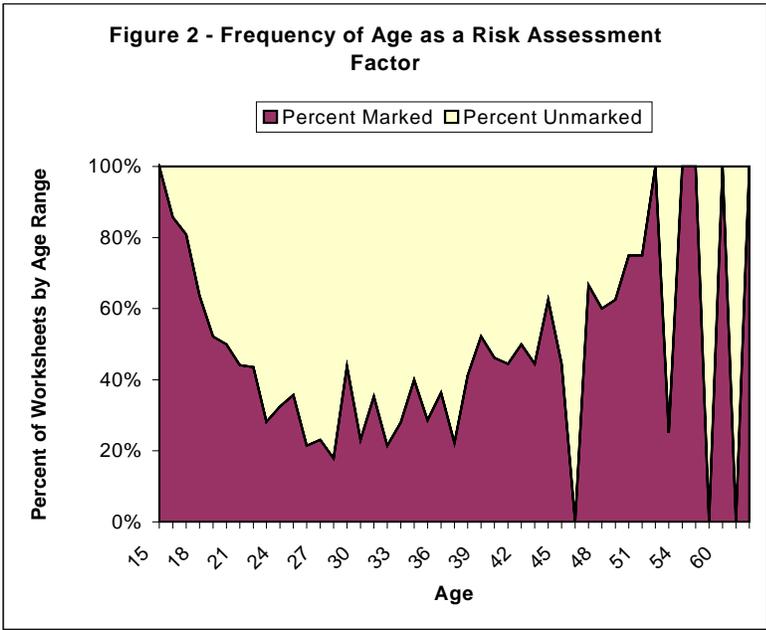
Twenty-six percent of offenders are under age 20, 20% between 30 and 39, 11% between 40 and 49, and 3% over age 50.

Table 1 presents the average ages of offenders by offense. First Degree Sexual Assaults and 1<sup>st</sup> Degree Sexual Assaults of a Child were committed by the oldest offenders on average, 36.3 and 34.7 respectively. Forgery, Theft and 2<sup>nd</sup> Degree Sexual Assaults also have older-

	Avg. Age	# of Offenders
<b>1st Deg. SA</b>	36.3	3
<b>1st Deg. SA of a Child</b>	34.7	33
<b>Theft</b>	32.3	12
<b>Forgery/Uttering</b>	30.3	152
<b>2nd Deg. SA</b>	29.4	9
<b>2nd Deg. SA of a Child</b>	27.3	51
<b>Burglary</b>	26.8	247
<b>PID-Cocaine</b>	26.4	75
<b>Armed Robbery</b>	25.6	113
<b>PID-THC</b>	25.0	41
<b>Robbery</b>	24.7	56

than-average offenders. The youngest average offenders were for robbery, at 24.7, followed by both drug crimes and armed robbery.

Age is also listed in the risk assessment section as a in the determination of an offender’s risk to public safety. Figure 2 shows the percentage of all worksheets for which age is checked as a risk assessment factor. The distribution roughly follows the pattern of a reverse bell curve, with age most often a factor among the youngest and oldest offenders and least often a factor for those in their 20s and 30s, near the mean. Those familiar with the current worksheets recognize that they do not indicate *what* effect age had on the sentencing decision. Future worksheet revisions and more in-depth Commission analysis will aim to better define this and other sentencing “reasons.”



<sup>1</sup> Based on comparisons with Department of Corrections data, the Commission estimates the rate of return for the worksheets to date to be about 40% of all guideline offense cases. Although this data set is sufficiently large to generate meaningful results, it is not a randomly selected sample or the total universe of cases from the period. Therefore, any statistical conclusions are suggestive rather than definitive.